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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Simon Anthony Nield

Examiner: Michael S Lowe

Serial No: 10/751,165

Art Unit: 3652

Filed: 01/03/2004

Docket No: P446

For: COLLECTION BIN FOR A LAUNDRY

January 13, 2007

Mail Stop: Non-fee Amendment
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

AMENDMENT "B"

In response to Office Action dated 10/17/2006, please amend the claims as shown in Attachment (A), by deleting the cross-through text and inserting the underlined text.

COMMENTS

Claims 2 and 3 have been amended as suggested by the Examiner.

Claims 5, 12 and 14 have already been amended in Amendment "A" as suggested by the Examiner.

Claim 1 as amended, relates to a laundry collection bin assembly in which the bin is supported on a frame resting on the floor. The bin has a mouth at its top for receiving items of laundry and a bottom through which the laundry is discharged. The frame has an inclined track along which the bin is displaceable from a lowered position in which the bottom is closed to a raised position in which the bottom of the bin is open and the laundry can be discharged through the bottom of the bin.

The Examiner has totally ignored the fact that the laundry bins in all of the cited references unload from the top by tipping the bin over and none of them unload from a bottom which is opened as in applicants present invention.

With regard to the primary reference, US 6,116,849 (Fesmire) the bucket 42 is mounted in a frame 41 and is raised and rotated relative to the frame (col 6 lines 22-24) using a lift assembly 66 and a tilt assembly 68. The lift assembly moves the bucket along the inclined guide rails 74. to a raised position (Fig. 5B) where the bucket is then tilted to discharge the contents from the top (Fig. 5C).

The Examiner is equating the bucket 42 with the bin of the present invention. Even if the bucket 42 is considered a bin, the contents are discharged through its mouth by tipping it over after a lifting operation, and NOT through an open bottom of the bin after lifting.

The Examiner contends that the term bottom, is a (relative term) and it sounds as though he is attempting to change the top of the bin to become the bottom merely by turning the bin over. In any container such as a cooking pan or other container, there is a closed bottom and an open top which may or may not have a lid. If you turn the cooking pan upside down to pour the ingredients out, the bottom is still the bottom and the top is still the top.

This same logic still applies to a laundry bin or any other kind of container. The top does not become the bottom merely by turning the bin upside down.

This is also true of the boxes shown in Tomioka (JP 54111994A). They are emptied from the top by turning them upside down and dumping the contents onto a conveyer belt.

None of the cited art, either singly or in combination, discloses the invention as now claimed, that is with the items in the bin being discharged through the bottom of the bin when the bin has been lifted to a raised position.

Since Applicant has made only minor changes in claim 1 to further emphasize the bin being emptied through an open bottom and has not raised any new issues requiring further search, Applicant respectfully requests that

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that the examiner enter this Amendment "B" and allow this application to be issued.

For the reasons given above it is believed that the claims as amended now should be allowable over the cited references and such action is respectfully requested. If the Examiner still feels that there are some minor matters to be resolved, Applicant's attorney would welcome a phone call from the Examiner at the below listed phone number.

Respectfully submitted,


Attorney for Applicant

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Certificate of Transmittal

I hereby certify that this correspondence is being facsimile transmitted to the US Patent and Trademark Office (Fax number (571) 273-8300) on January 13, 2007

Paul E Milliken

Signature

